

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SFA SYSTEMS, LLC

Plaintiff,

vs.

BIGMACHINES, INC., ET AL.

Defendants.

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**CASE NO. 6:10-CV-300
PATENT CASE**

ORDER

Defendants' motions to dismiss (Docket Nos. 29 and 32) are before the Court. Having considered the parties' written submissions, the Court **GRANTS** the motions in part. SFA's complaint fails to satisfy Rule 8's pleading requirements. Rather than dismissing SFA's complaint, the Court **ORDERS** SFA to replead within fourteen days to comply with Rule 8.

The Court notes that SFA has already served its Patent Rule 3-1 disclosures and this case is nearing claim construction. Rule 3-1 disclosures are far more detailed than Rule 8's pleading requirements. Thus, before the Court ruled on this motion, Defendants had already received greater specificity than what they sought in this motion, rendering this motion superfluous for all practical purposes. The Court strongly encourages the parties to try this case on the merits and not unnecessarily burden the Court with technical issues that lack practical substance.

So ORDERED and SIGNED this 1st day of March, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**